

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Aug 28, 2023

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JUDITH RABENSTEINER,

Plaintiff,

vs.

U.S. BANK NATIONAL
ASSOCIATION,

Defendant.

Case No. 2:22-CV-00317-MKD

ORDER OF DISMISSAL

ECF No. 26

Before the Court is the parties' Stipulated Motion and Order of Voluntarily Dismissal with Prejudice, ECF No. 26. The parties stipulate that this matter may be dismissed with prejudice and without an award of costs or fees. Fed. R. Civ. P. 41(a)(1)(A)(ii) provides that a plaintiff may dismiss an action without a court order by filing a stipulation of dismissal signed by all parties who have appeared. *See also* LCivR 41. The instant motion has been signed by counsel for Plaintiff and for Defendant.

1 Accordingly, **IT IS ORDERED:**

2 1. The parties' Stipulated Motion and Order of Voluntarily Dismissal
3 with Prejudice, **ECF No. 26**, is **GRANTED**.

4 2. Pursuant to Rule 41(a)(1)(A)(ii) and the parties' stipulation, all claims
5 are **DISMISSED with prejudice**, without an award of fees or costs.

6 3. Any pending motions are **DENIED as moot**.

7 4. All hearings and other deadlines are **STRICKEN**.

8 **IT IS SO ORDERED.** The District Court Executive is directed to file this
9 Order, provide copies to counsel, and **CLOSE** the file.

10 DATED August 28, 2023.

11 s/Mary K. Dimke
12 MARY K. DIMKE
13 UNITED STATES DISTRICT JUDGE
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